

213411.00013



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
MICHEL ARMAND, ET AL.) : Examiner: C. Chaney
Application No.: 08/998,264) : Group Art Unit: 1745
Filed: December 24, 1997) :
For: CATHODE MATERIALS FOR)
SECONDARY (RECHARGEABLE)) :
LITHIUM BATTERIES) : May 7, 2002
:

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5/15/02
J. Radke

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TERMINAL DISCLAIMER

Sir:

Your petitioner, Board of Regents, The University of Texas System, an organization having an address at 201 West 7th Street, Austin, Texas, 78701, and duly represented by the undersigned, represents that it is the assignee of the full title and interest in and to the above-identified Application No. 08/998,264, filed December 24, 1997, as evidenced by the deed of Assignment recorded on June 1, 1998 at Reel 9250, Frame 0988.

Your petitioner hereby disclaims the terminal part of any patent granted on the above-identified application which would extend beyond the expiration date of the full statutory

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term of U.S. Patent No. 5,910,382 as presently shortened by any terminal disclaimer, and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent No. 5,910,382, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors or assigns.

Your petitioner does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term of U.S. Patent No. 5,910,382, as presently shortened by any terminal disclaimer, in the event that subsequent hereto U.S. Patent No. 5,910,382 expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is the subject of any disclaimer under 37 C.F.R. § 1.321(a), has all claims cancelled by a reexamination certificate or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

The undersigned is empowered to act on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on

information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

By:



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Date: May 7, 2002

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